

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DMYTRO KOVALENKO,

Plaintiff,

v.

JOHN DOES 1 THROUGH 5, d.b.a.
www.warsawpoint.com,

Defendants.

CASE NO. 2:22-cv-01578-TL

ORDER

This is an action for defamation and invasion of privacy against unknown Defendants.

This matters comes before the Court *sua sponte*, upon review of the record.

Plaintiff Dmytro Kovalenko filed this action on November 4, 2022, against Epik Holdings, Inc. and Anonymize, Inc., who hosted and/or provided services for a website that allegedly published false and incendiary accusations of misconduct against Plaintiff. Dkt. No. 1. Plaintiff then added “John Does 1 through 5, doing business as www.warsawpoint.com” as Defendants and dismissed the two original Defendants from the action. Dkt. Nos. 15, 16. Plaintiff has a pending motion for a preliminary injunction and temporary restraining order

1 against Defendants, seeking the removal of the online publication at issue. Dkt. No. 23. On
2 December 12, 2022, the Court stayed the motion and this matter, flagging serious concerns over
3 whether it has subject matter jurisdiction to adjudicate this case, and granted Plaintiff leave to
4 seek expedited Rule 26(f) discovery to seek more information from Epik Holdings and
5 Anonymize about the identities and locations of Defendants. Dkt. No. 25. Six months have
6 passed since then, with no further activity in the case.

7 Accordingly, the Court hereby DIRECTS Plaintiff to file a status report within **seven (7)**
8 **days** of this Order explaining why this Court has jurisdiction to retain this matter and Plaintiff's
9 next proposed steps. Failure to timely respond will result in the dismissal of this action for lack
10 of subject matter jurisdiction and for failure to prosecute.

11 Dated this 12th day of June 2023.

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14 Tana Lin
15 United States District Judge
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